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Town of Nags Head

Post Office Box 99
Nags Head, North Carolina 27959
Telephone 252-441-5508
Fax 252-441-0776
www.townofnagshead.net

NORTH CAROLINA
DARE COUNTY

SERVICE CONTRACT
PURCHASE ORDER # 20110056

**THIS CONTRACT IS NOT VALID WITHOUT THE REQUIRED ACCOMPANYING/
CORRESPONDING PURCHASE ORDER**

AMW
(CONTRACTOR initials)

THIS CONTRACT is made and entered into this the 1st day of July 2010, by and between the TOWN OF NAGS HEAD, a public body corporate of the State of North Carolina, (hereinafter referred to as "the TOWN") party of the first part and R.A. Hoy Heating & Air Conditioning Inc. a North Carolina Corporation, P. O. Box 265, Kitty Hawk, NC 27949, (hereinafter referred to as "CONTRACTOR"), party of the second part.

1. SERVICES TO BE PROVIDED AND AGREED CHARGES

The services and/or material to be furnished under this contract (hereinafter referred to collectively as "SERVICES") and agreed charges are as follows:

To provide parts and labor to repair heat pump and air conditioning systems in covered properties.

This agreement is valid for ducted forced air central air conditioning and heat pump systems installed in the Town of Nags Head at the following locations: Fitness Room, Board of Commissioners Meeting Building located at 5401 S. Croatan Hwy, Fire Station #16 located at 5314 S. Croatan Hwy, Fire Station #21 located at 8806 S. Old Oregon Inlet Rd, Ocean Rescue Station located at 3719 S. Croatan Hwy, Public Works facility located at 2200 Lark Avenue, and the UNC/CSI building located at 435 Health Center Drive. The Town Hall administration building is excluded from this contract.

Total contract price shall be \$7,622.00 (Seven-Thousand-Six-Hundred-Twenty two dollars and no cents), in accordance with CONTRACTOR'S quote submitted on July 8, 2010 (copy attached). This includes \$5,092.00 (Five-Thousand-Ninety-Two dollars and no cents) for the repair contract, and \$2,530.00 (Two-Thousand-Five-Hundred-Thirty dollars and no cents) for the Energy Savings Agreement preventative maintenance service checks.

REPAIR SERVICE CONTRACT

Page 1 of 4

R. A. Hoy Heating & Air Conditioning Inc. will provide parts and labor to repair heat pump and air conditioning systems in covered properties for the period beginning July 1, 2010 and ending June 30th, 2011

This contract is between R.A. Hoy Heating & Air Conditioning Inc. a North Carolina Corporation, P. O. Box 265, Kitty Hawk, NC 27949, and The Town of Nags Head, P. O. Box 99, Nags Head, NC 27959

Terms and Conditions

This agreement is valid for ducted forced air central air conditioning and heat pump systems installed in the The Town of Nags Head at the following locations. Fitness Room, Board of Directors Building located at 5401 S. Croatan Hw. Fire Station #16 located at 5314 S. Croatan Hwy, Fire Station 21, located at 8806 S. Old Oregon Inlet Rd, Fire Station 20 located at 3719 S. Croatan Hwy, Public Works facility located at 2200 Lark Avenue, and the UNC/CSI building located at 435 Health Center Dr.

The main Town Hall administration building is excluded from this contract.

Coverage is purchased on all such systems at the above locations. Exceptions may be made on an individual basis if a unit is beyond the age limit , but deemed in good condition by R.A. Hoy Heating & Air Conditioning Inc.

Outdoor compressor bearing units more than ten years old, and indoor units more than 15 years old will not be covered. Units must by inspected by R.A. Hoy Heating & Air Conditioning Inc. and found to be in good working condition or be bought up to good working condition at the owner's expense before coverage will be offered.

REPAIR / REPLACE OPTION

During major repairs R.A. Hoy Heating and Air Conditioning may offer the owner to elect to have the estimated costs of a given repair applied to a new replacement unit installed by R.A. Hoy Heating & Air Conditioning Inc. at the time the failure is diagnosed. The owner will be given cost estimates and proposals for the difference between the replacement and repair and invoiced for the difference. If this option is exercised, new platforms for outdoor units, relocation of existing units, carpentry or other structural modifications necessary to install and complete the job, and building permit costs will not be covered by the agreement.

In the event that an indoor or outdoor refrigerant coil, becomes unrepairable and no replacement can be obtained, the estimated cost of repair will be applied to the price of a new unit installed by R.A. Hoy Heating & Air Conditioning Inc. If the price of a replacement coil cannot be determined, the following prices for the coil will be used in calculating the repair.

Indoor coil \$500.00

Outdoor coil \$920.00

Energy Savings Agreement

It is mandatory that the units are covered by R.A. Hoy Heating & Air Conditioning Inc. Energy Savings Agreement (ESA) Attachment "A" of this contract, which includes two preventative maintenance service checks per contract. This agreement will commence if the Town of Nags Head was previously covered under an ESA agreement which by the dates of the agreement would have included a service check no more than (6) months before the dates of this contract, at which time it will determine if the units are accepted under this plan.

If coverage is denied, the contract amount minus an inspection fee for the initial Esa of \$828.00 will be refunded. If at the time of the initial inspections it is determined that a repair is necessary to bring a unit up to good working condition, the Town of Nags Head will be contacted with a repair quote and will be given the opportunity to accept or deny the repair. Upon receipt of full payment of contract, the two maintenance checks will be scheduled by R.A. Hoy Heating & Air Conditioning Inc. to accommodate the Town of Nags Head schedule, with one check being done approximately between September and November, for the heating season, and second check being done approximately between March and May for the cooling season. The ESA presented as part of this contract is discounted as an inclusion of the contract, and cannot be taken separately, and by itself.

Covered properties will receive priority scheduling for repairs. R.A. Hoy Heating and Air Conditioning Inc. will not be responsible for consequential losses from down time, due to delay from obtaining parts, gaining access or other causes beyond our control.

This agreement has no cash value, and is limited to the repairs as set forth above.

R.A. Hoy Heating & Air Conditioning Inc. will continuously carry workmen's compensation insurance and general liability insurance during the term of this contract. Our insurance agent will provide certificates of insurance if needed. R. A. Hoy Heating and Air Conditioning Inc. operates under North Carolina State Board of examiners of plumbing, heating, fire sprinkler contractors license #13056, P, H2, H3.

Technicians are certified by N. C. State Board of Refrigeration Examiners to handle refrigerant. Many of our technicians are N.A.T.E. (North American Technician Excellence) certified.

Large jobs requiring more than one person may have an apprentice/helper who may or may not be certified working with the lead technician.

EXCLUSIONS

Rusting and corrosioin that does not significantly hinder the performance or operation of the system.

Insufficient heating and cooling caused by poor design, installation, owner operation, including hot and cold spots, air balance problems, or addition of heat producing equipment.

Sanding, washing, waxing, or any other cosmetic maintenance.

Any filter changes, and any other routine maintenance beyond the two service checks offered with the Energy Savings Agreement.

Vandalism, accidental damage, acts of God, fire, wind, or flood damage.

Nuisance calls caused by open windows, doors, improper thermostat settings, reprogramming of programmable type thermostats, etc.

Window air conditioners, gas or oil heaters, furnaces, or boilers, humidifiers, or electric baseboard heaters.

Water pumps, ground loop geothermal leaks, blockages or well type repairs.

Any computer operated control systems.

Tripped breakers.

Town of Nags Head will provide R.A. Hoy Heating & Air Conditioning Inc. with list of persons authorized to place service calls.

Total cost of contract is Seven-Thousand-Six-Hundred-Twenty-Two and 00/100 (\$7,622.00)

This includes Five-Thousand-Ninety-Two and 00/100 for the repair contract, and Two-Thousand-Five-Hundred-Thirty and 00/100 for the Energy Savings Agreement preventative maintenance service checks.

R. A. Hoy Heating & Air Conditioning Inc.

Town of Nags Head

by Douglas P. Wakeley V.P.

by

Date / /20010

Date / / 2010

Payment or purchase order for full amount above must be received within 45 days of 07/01/10 or contract is void.



07/13/2010 10:50
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TOWN OF NAGS HEAD
PO INQUIRY PROFILE REPORT

PG 1
poinquiry

Purchase Order Type Normal Fiscal Yr 2011 01 PO# 20110056
Batch 5 PO Date 07/13/2010

Requisition 00000057
Department Code 530 Public Works Facilities Maint
Allocation Code 0000
Review Code
Buyer ID wrightv Vicky Wright
Needed By Date
General Commodity
Vendor 002113 R A HOY HEATING & AIR CONDITON.INC.
Work Order 000000000
Activity P O BOX 179
KITTY HAWK, NC 27949
Ship To Address 21 PUBLIC WORKS % KAREN COSTELLO
2200 LARK AVE
NAGS HEAD, NC 27959

Ship To Reference
Shipping Method
Bill To Address 99
PO Description TOWNS HVAC SERV AGREEMENT
Special Handling None Status Released Distribution 1

Total PO Amount \$7,622.00
Liquidated \$ 0.00
Canceled \$ 0.00
Open Encumbrance \$7,622.00

Line Item Details

Line 001	Commodity				
Req	57	Qty 1.0	UOM Each	Unit Price	7622.00000
% Disc	0.00	Credit	0.00	Freight	0.00
				Line Item Total	\$7,622.00
Qty Received	0.0			Liquidated	\$ 0.00
Qty Canceled	0.0			Canceled	\$ 0.00
				Line Item Open Encumbrance	\$7,622.00

Description

ANNUAL HEATING AND COOLING MAINTENANCE
AGREEMENT FOR TOWN BLDGS EXCEPT TOWN HALL.
\$5,092 (REPAIR CONTRACT) \$ 2,530 (ESA
AGREEMENT).

Department 530 1099 Box Fixed Asset N Needed By
Quote Bid
Ship To Address 21 PUBLIC WORKS % KAREN COSTELLO
2200 LARK AVE
NAGS HEAD, NC 27959

Ship To Reference

Allocation Details

Org	Obj	Proj	Description	Encumbered Amt	Bud
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07/13/2010 10:50
costellk

TOWN OF NAGS HEAD
PO INQUIRY PROFILE REPORT

PG 2
poinquiry

530	544500	CONTRACTED SERVICE	\$7,622.00	U
		Liquidated	\$ 0.00	
		Canceled	\$ 0.00	
		Allocated Open Encumbrance	\$7,622.00	

** END OF REPORT - Generated by Karen Costello

tyler
07/13/2010